

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

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IN RE  
INTEL CORPORATION  
MICROPROCESSOR ANTITRUST  
LITIGATION  
\_\_\_\_\_

)  
)  
) MDL No 05-1717-LPS  
)  
)  
)

PHIL PAUL, on behalf of himself  
and all others similarly situated,

)  
)  
) C.A. No. 05-485-LPS  
)  
)

Plaintiffs,

)  
) CONSOLIDATED ACTION  
)  
)

v.

INTEL CORPORATION,

Defendants.  
\_\_\_\_\_

**STIPULATION AND ~~PROPOSED~~ ORDER FURTHER MODIFYING  
CASE MANAGEMENT ORDER NO. 4**

WHEREAS, on June 3, 2008 the Court entered Case Management Order No. 4 (D.I. 955 in Docket 05-1717-LPS) ("CMO 4"), which related to certain document retention obligations of the parties;

WHEREAS, on March 13, 2009 the Court entered a Stipulation and Order Modifying Case Management Order No. 4 (D.I. 1639 in Docket 05-1717-LPS) ("CMO 4 Modification Order"), which modified certain document retention obligations of the parties;

WHEREAS, pursuant to Case Management Order No. 7 (D.I. 1697 in Docket 05-1717-LPS), fact discovery in this action was closed on June 12, 2009;

WHEREAS, the parties now agree, subject to the approval of the Court, that portions of the CMO 4 Modification Order should be amended and clarified to further relieve certain

document retention burdens, and to specifically identify what documents Intel must continue to retain in connection with this matter;

NOW, THEREFORE, the parties, through their respective counsel of record, hereby stipulate, subject to the approval of the Court, as follows:

1. Paragraph 4 of the CMO 4 Modification Order shall be stricken.
2. In connection with this action, Intel Corporation shall continue to retain the complete discovery record related to this matter, including any documents that were produced or that were withheld on grounds of privilege, pending final resolution of this action, including during the pendency of any appeal.
3. This Stipulation and Order is without prejudice to any party's right to file a motion for sanctions related to evidence preservation.
4. Any document disposition actions taken by Intel pursuant to this Stipulation and Order shall not be raised by the parties in support or defense of any motion for sanctions related to evidence preservation.


/s/ J. Clayton Athey

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ENTERED this 21<sup>st</sup> day of February, 2011.

  
\_\_\_\_\_  
Vincent J. Poppiti (DSBA No. 100614)  
Special Master

SO ORDERED this 23<sup>rd</sup> day of February, 2010.

  
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United States District Court Judge